

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

Electronically filed on April 30, 2021

| | | |
|---------------------------------------|---|-------------------------------------|
| STATE OF MISSISSIPPI, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | Consolidated |
| |) | Nos. 19-231L / 19-258L / 19-1812L / |
| v. |) | 19-1968L / 20-30L / 21-820 L |
| |) | |
| THE UNITED STATES OF AMERICA, |) | Chief Judge Elaine D. Kaplan |
| |) | |
| Defendant. |) | |
| |) | |

JOINT STATUS REPORT

Pursuant to this Court’s Order of April 19, 2021, ECF No. 66, the Parties, through undersigned counsel, respectfully file this Joint Status Report. Pursuant to the Court’s instructions at the April 2, 2021 hearing, the parties have engaged in further meet-and-confer efforts regarding Plaintiffs’ theory of the case. *See, e.g.*, ECF No 64 at 28-29 (4/2/21 Hr’g Tr.). Based on supplemental discovery responses Plaintiffs provided, the United States believes that Plaintiffs have adequately answered the four interrogatories that led to the United States’ motion to compel, such that the United States can proceed to develop its defense. The United States’ motion to compel, ECF No. 58, is, therefore, moot. Based on these supplemental discovery responses, the United States has a number of corollary questions about the scope and nature of Plaintiffs’ contentions, which the United States will address in further discovery.

Respectfully submitted, this 30th day of April, 2021.

/s/ Don Barrett

John W. (Don) Barrett
BARRETT LAW GROUP, P.A.
404 Court Square
Lexington, Mississippi 39095
Tel: (662) 834-2488
Fax: (662) 834-2628
donbarrettpa@gmail.com

/s/ Patrick W. Pendley

Patrick W. Pendley (LA #10421)
Andrea Barient (LA #35643)
PENDLEY, BAUDIN & COFFIN, L.L.P.
24110 Eden Street
Post Office Drawer 71
Plaquemine, Louisiana 70765-0071
Tel: (225) 687-6396
Fax: (225) 687-6398
pwpendley@pbclawfirm.com
abarient@pbclawfirm.com

Attorneys for Plaintiffs

Of Counsel:

David McMullan, Jr.
BARRETT LAW GROUP, P.A.
404 Court Square
Lexington, Mississippi 39095
Tel: (662) 834-2488
Fax: (662) 834-2628
dmcullan@barrettlawgroup.com

Jonathan W. Cuneo
Mark Dubester
Jennifer E. Kelly
CUNEO GILBERT & LADUCA, LLP
4725 Wisconsin Avenue, NW, Suite 200
Washington, DC 20016
Telephone: (202) 789-3960
Fax: (202) 789-1813
jonc@cuneolaw.com
mark@cuneolaw.com
jkelly@cuneolaw.com

JEAN E. WILLIAMS
Acting Assistant Attorney General
Environment & Natural Resources Division

/s/ Davené D. Walker

DAVENÉ D. WALKER
BRENT ALLEN
ZACHARY WEST
Trial Attorneys
Natural Resources Section
Environment & Natural Resources Division
United States Department of Justice
P.O. Box 7611
Washington, DC 20044-7611
Telephone: (202) 353-9213
Facsimile: (202) 305-0506
E-mail: davenewalker@usdoj.gov

Attorneys for the United States

Jerry Abdalla
ABDALLA LAW, PLLC
602 Steed Road, Suite 200
Ridgeland, MS 39157
Telephone: (601) 487-4590
jerry@abdalla-law.com

Richard Barrett
**LAW OFFICES OF RICHARD R.
BARRETT, PLLC**
2086 Old Taylor Rd, Suite 1011
Oxford, MS 38655
Telephone: (662) 380-5018
Fax: (866) 430-5459
rrb@rrblawfirm.net

Robert J. Cynkar
**MCSWEENEY, CYNKAR &
KACHOUROFF, PLLC**
10506 Milkweed Drive
Great Falls, VA 22066
Telephone: (703) 621-3300
rcynkar@mck-lawyers.com

William F. Blair
BLAIR & BONDURANT, P.A.
P.O. Box 321423
Jackson, MS 29232
Telephone: (601) 992-4477
bill@bbfirm.com

Larry D. Moffett
**LAW OFFICE OF LARRCY D.
MOFFETT, PLLC**
P.O. BOX 1418
2086 Old Taylor Road, Suite 1012
Oxford, MS 38655
Telephone: (662) 298-4435
larry@larrymoffett.com